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*Attorneys for Plaintiff The
Wilmington Trust, N.A., Successor
Trustee to Citibank, N.A., as
Trustee f/b/o Holders of Structured
Asset Mortgage Investments II Inc.,
Bear Stearns ALT-A Trust 2006-4,
Mortgage Pass-Through Certificates,
Series 2006-4*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WILMINGTON TRUST, N.A.,
SUCCESSOR TRUSTEE TO CITIBANK,
N.A., AS TRUSTEE F/B/O HOLDERS OF
STRUCTURED ASSET MORTGAGE
INVESTMENTS II INC., BEAR
STEARNS ALT-A TRUST 2006-4,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-4

Plaintiff,

vs.

SFR INVESTMENTS POOL 1, LLC, a
Nevada limited liability company;
GIAVANNA HOMEOWNERS
ASSOCIATION, a Nevada non-profit
corporation,

Defendants.

Case No. 2:16-cv-02756-RFB-VCF

**STIPULATION AND ORDER TO 1)
DISMISS WITH PREJUDICE
WILMINGTON TRUST, N.A., SFR
INVESTMENTS POOL 1, LLC,
GIAVANNA HOMEOWNERS
ASSOCIATION; AND ABSOLUTE
COLLECTION SERVICES, AND 2)
LIFT STAY ENTERED APRIL 4,
2018**

1 GIAVANNA HOMEOWNERS
2 ASSOCIATION,

3 Third Party Plaintiff,

4 vs.

5 ABSOLUTE COLLECTION SERVICES,
6 LLC,

7 Third Party Defendant.

8 SFR INVESTMENTS POOL 1, LLC, a
9 Nevada limited liability company,

10 Counter/Cross Claimant,

11 vs.

12 WILMINGTON TRUST, N.A.,
13 SUCCESSOR TRUSTEE TO CITIBANK,
14 N.A., AS TRUSTEE F/B/O HOLDERS OF
15 STRUCTURED ASSET MORTGAGE
16 INVESTMENTS II INC., BEAR
17 STEARNS ALT-A TRUST 2006-4,
18 MORTGAGE PASS-THROUGH
19 CERTIFICATES, SERIES 2006-4;
20 MASHELLE CLARK aka SHELLY
21 CLARK, an individual,

22 Counter/Cross Defendants.

23 Pursuant to Local Rules LR IA 6-1 and LR 26-4, Plaintiff/Counter-Defendant
24 Wilmington Trust, N.A., Successor Trustee to Citibank, N.A., as Trustee F/B/O
25 Holders of Structured Asset Mortgage Investments II Inc., Bear Stearns ALT-A Trust
26 2006-4, Mortgage Pass-Through Certificates, Series 2006-4 (the "Trustee"),
27 Defendant/Counterclaimant SFR Investment Pools 1, LLC ("SFR"), Giavanna
28 Homeowners Association ("Giavanna"), and Absolute Collection Services, LLC
("Absolute") (collectively, the "Parties") hereby stipulate as follows:

1. This action concerns title to real property commonly known as 5434
Stelle Amore Street, North Las Vegas, Nevada ("Property") following a homeowner's
association foreclosure sale conducted on September 17, 2013, with respect to the
Property.

2. As it relates to the Parties, a dispute arose regarding that certain Deed of Trust recorded against the Property in the Official Records of Clark County, Nevada as Instrument Number 20060330-0002376 (“Deed of Trust”), and in particular, whether the Deed of Trust continues to encumber the Property.

3. The Parties to this Stipulation have settled and agreed to release their respective claims among them, and further agreed that the claims among them, including the Complaint, Counterclaim, and Third Party Complaint shall be DISMISSED with prejudice;

4. As Mashelle Clark aka Shelly Clark (“Clark”) never filed an Answer or other response to the Complaint in this action, the Trustee hereby voluntarily dismisses its claims against her pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i).

5. This Stipulation in no way affects SFR’s cross-claim against Clark;

6. The Parties further stipulate and agree that the Lis Pendens recorded against the Property in the Official Records of Clark County, Nevada, as Instruments Number 201702230002798 be, and the same hereby is, EXPUNGED.

7. The Parties further stipulate and agree that the \$500 in security costs posted by Chase on February 8, 2017 pursuant to this Court’s Order [ECF No. 15] shall be discharged and released to the Ballard Spahr LLP Trust Account.

8. The Parties further stipulate and agree that a copy of this Stipulation and Order may be recorded with the Clark County Recorder;

9. The Parties further agree to lift the stay entered April 4, 2018 [ECF No. 45];

10. This case shall remain open until such time as SFR resolves its pending cross-claim against Clark; and

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11. Each party in this case number 2:16-cv-02756-RFB-VCF shall bear its own attorneys' fees and costs.

Dated this December 10, 2018.

BALLARD SPAHR LLP

KIM GILBERT EBRON

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Attorney for Absolute Collection Services, LLC

IT IS SO ORDERED.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

DATED this 11th day of December, 2018.